

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TOWER INSURANCE COMPANY	:	CIVIL ACTION
OF NEW YORK, et al	:	
	:	
v.	:	
	:	
DOCKSIDE ASSOCIATES	:	NO. 10-1886
PIER 30 LP, et al	:	

ORDER

AND NOW, this 6th day of July, 2011, upon consideration of the Motion of Plaintiffs, Tower Insurance Company of New York and Everest National Insurance Company, for Summary Judgment (Document No. 33), the defendants' response and the plaintiffs' reply, it is **ORDERED** that the motion is **GRANTED**.

It is **DECLARED** that Tower Insurance Company of New York and Everest National Insurance Company have no duty to defend or to indemnify Dockside Associates Pier 30 L.P. or DePaul Management Company for any claims arising out of the action filed against them in the Pennsylvania Court of Common Pleas for Philadelphia County captioned *Forceno, et al v. Dockside Assoc. Pier 30 LP, et al*, December Term 2009, No. 1297.

/s/ Timothy J. Savage
TIMOTHY J. SAVAGE, J.